

In contrast, “Manship’s system runs two modes of play which are a regular mode and a special (bonus) mode called ‘fever mode.’” Office Action, page 3, lines 10 - 11. Manship does not disclose using second indicia. In both the regular mode and the “fever mode,” the same game symbols are used during play. The “fever mode” uses a pay table different from the regular mode, but all the pay tables use the same indicia (see Figs. 4A-4E).

“During that bonus or fever mode the bells are enlarged and swing back and forth on the screen, and the audio output of the machine changes and rings in time with the swinging of the bells.” Office Action, Page 3, lines 14-16. While the “bell” game element is modified in appearance, it is the same bell “indicia” as used in the regular game. The same “bell” game element is listed in the regular pay tables and the fever made pay table in Figs. 4A-4E, and, therefore, the bell is the same indicia in both modes.

Applicants therefore submit that Manship does not anticipate Applicants’ invention of Claim 1. Independent Claim 4 also contains the limitations of “first indicia” and “second indicia.” All dependent claims depend from Claim 1 or Claim 4.

Claims 7-16 were rejected under 35 U.S.C 103(a) as being unpatentable over Manship in view of Marnell. However, the limitations of “first indicia” and “second indicia” are not disclosed by Manship, as explained above, and are not disclosed by Marnell either.

If the Examiner is of the opinion that “indicia” means something other than what Applicants are intending (e.g., a different set of symbols, objects, etc.), Applicants invite the Examiner to call Applicants’ attorney to make minor clarifying changes to the claims. Such clarification may specify that the “second indicia” does not correspond in appearance to the “first indicia.”

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Applicants therefore submit that all claims are allowable, and allowance thereof is requested. If the Examiner's next action is other than a Notice of Allowance, the Examiner is respectfully requested to call Applicants' attorney at (408) 453-9200.

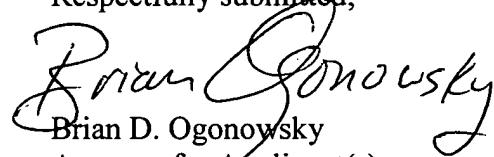
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on August 30, 2001.



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8/30/01
Date of Signature

Respectfully submitted,



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